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17414 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BUCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
10873.818USD1				

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 322887926 US

Date of Deposit: November 3, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop DIVISIONAL PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

*Teresa Anderson*

Name: Teresa Anderson

22141 U.S. PTO  
10/699937  
110303

DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop DIVISIONAL PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 10/038,189, filed on October 24, 2001 entitled OPTICAL DISK AND METHOD FOR PRODUCING THE SAME by the following inventor(s):

1. ☒ Enclosed is a copy of the prior application; including the specification, claims, drawings, a signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.) The continuing application is as follows: 21 pages of specification, 18 claims, 1 page of abstract, 10 sheets of drawings, and 4 pages of oath or declaration.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. ☒ Cancel original claims 5, 7, 16-18 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3. ☒ The filing fee is calculated below:

**CLAIMS AS FILED**

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 13 -20	0	x	\$18.00	0.00
INDEPENDENT CLAIMS 3 -3	0	x	\$86.00	0.00
			BASIC FILING FEE:	\$770.00
			TOTAL FILING FEE:	\$770.00

- ☐ Small entity status is claimed pursuant to 37 CFR 1.27.

4. ☒ Payment of fees:  
☒ Attached is a check in the amount of \$770.00  
☐ Please charge Deposit Account No. 13-2725.
5. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
6. ☒ Amend the specification by inserting before the first line the sentence:  
  
"This application is a divisional of application Serial No. 10/038,189, filed October 24, 2001, which application(s) are incorporated herein by reference."
7. ☒ A set of formal drawings (10 sheets) is enclosed.
8. ☒ Priority of application Serial No. 2000-332051, filed on October 31, 2000 in Japan, Serial No. 2001-121238, filed on April 19, 2001, is claimed under 35 U.S.C. 119.  
  
☒ The certified copy has been filed in prior application Serial No. 10/038,189, filed October 24, 2001.
9. ☒ The prior application is assigned of record to MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. located at 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 Japan.
10. ☒ The Power of Attorney in the prior application is to:  
  
Merchant & Gould P.C.  
Minneapolis, MN 55402-0903
11. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)  
  
☐ Fee for excess claims is attached.

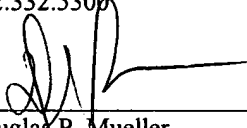
12. ☐ A petition and fee has been filed to extend the term in the prior application until. A copy of the petition for extension of time in the prior application is attached.
13. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
14. ☐ A Non-publication Request under 37 CFR 1.213(a) is enclosed.
15. ☒ Also Enclosed: Application Data Sheet, Information Disclosure Statement, Form 1449
16. ☒ Address all future communications to the **Attention of Douglas P. Mueller** (may only be completed by attorney or agent of record) at the address below.
17. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300



Date: November 3, 2003

  
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Douglas P. Mueller  
Reg. No. 30,300  
DPM/jh